MINUTES OF THE HOUSE POLITICAL SUBDIVISIONS STANDING COMMITTEE

Room 450 Utah State Capitol February 18, 2011

MEMBERS PRESENT: Rep. R. Curt Webb, Chair

Rep. Rebecca P. Edwards, Vice Chair

Rep. Johnny Anderson Rep. Jack R. Draxler Rep. James A. Dunnigan Rep. Jeremy A. Peterson Rep. Dixon M. Pitcher Rep. Marie H. Poulson Rep. Stephen E. Sandstrom Rep. Jennifer M. Seelig Rep. Larry B. Wiley

MEMBERS ABSENT: Rep. Michael T. Morley

STAFF PRESENT: Joseph Wade, Policy Analyst

Karen Mitchell, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Edwards called the meeting to order at 8:07 a.m.

MOTION: Rep. Pitcher moved to approve the minutes of February 14, 2011. The motion passed

unanimously with Rep. Anderson, Rep. Dunnigan, Rep. Morley, Rep. Peterson, Rep.

Seelig, and Rep. Webb absent for the vote.

H.B. 392 Retention Elections for Justice Court Judges (Rep. C. Oda)

This bill was not considered.

H.B. 224 Radio Frequency Identification (Rep. W. Harper)

Rep. Harper introduced the bill to the committee.

MOTION: Rep. Wiley moved to adopt 1st Substitute H.B. 224. The motion passed unanimously

with Rep. Anderson, Rep. Dunnigan, Rep. Morley, Rep. Peterson, Rep. Seelig, and

Rep. Edwards absent for the vote.

Spoke in favor of the bill: Marina Lowe, ACLU of Utah

Dalane England, Eagle Forum

House Political Subdivisions Standing Committee February 18, 2011

Page 2

Spoke in opposition to the bill: Dave Davis, Utah Retailer Merchants Association and Utah Food

Industry Association

Tom Bingham, Utah Manufactures Association

MOTION: Rep. Peterson moved to hold the bill.

SUBSTITUTE

MOTION: Rep. Sandstrom moved to pass 1st Substitute H.B. 224 out with a favorable

recommendation. The motion failed with Rep. Anderson and Rep. Sandstrom

voting in favor of the bill. Rep. Morley was absent for the vote.

The original motion to hold the bill passed with Rep. Sandstrom voting in opposition. Rep. Morley was absent for the vote.

H.B. 53 Seismic Requirements for Condominium Conversion Projects (Rep. L. Wiley)

Rep. Wiley introduced the bill to the committee.

MOTION: Rep. Wiley moved to adopt 1st Substitute H.B. 53. The motion passed

unanimously with Rep. Morley absent for the vote.

Spoke to the bill: Barry Welliver, Utah Seismic Safety Commission

Cort Ashton, Utah Land Title Association

Spoke in favor of the bill: Roger Evans, Utah Seismic Safety Commission

Rolayne Fairclough, AAA Utah

Spoke in opposition to the bill: Beth Holbrook, Realtor

Taz Biesinger, Utah Home Builders Association

Chris Kyler, Utah Association of Realtors

MOTION: Rep. Sandstrom moved to hold the bill. The motion passed unanimously with Rep.

Morley absent for the vote.

H.B. 259 County Recorder Revisions (Rep. R. C. Webb)

Rep. Webb introduced the bill to the committee.

MOTION: Rep. Webb moved to amend the bill as follows:

House Political Subdivisions Standing Committee February 18, 2011 Page 3

- 1. *Page 3, Lines 66 through 74:*
 - (b) If a person submits for recording a document described in Subsection (4)(a), the
 - 67 <u>person shall</u> { <u>include the following wording</u> } <u>notify the county recorder by</u> including the word "RESPA" in at least 16 point font on the front page of each
 - 68 document {=
 - 69 <u>"RESPA."</u>} .
 - 70 (c) { If a person does not include the wording described in Subsection (4)(b),
 - 71 recorder is not required to:
 - 72 (i) refund a fee described in Subsection (4)(a); or
 - 73 (ii) change a fee amount shown on a recorded document if described in fee
 - 74 <u>Subsection (4)(a) is</u> <u>not</u> <u>collected at the time of recording.</u>

The motion to amend the bill passed unanimously with Rep. Morley, Rep. Sandstrom, Rep. Seelig, and Rep. Wiley absent for the vote.

Rep. Webb moved to amend the bill as follows:

- 1. *Page 3, Lines 60 through 65:*
 - 60 constructed for at least one family but no more than four families, the county recorder shall
 - 61 receive:
 - 62 (i) {\$15} \$14 for each deed of conveyance;
 - 63 (ii) \$40 for each deed of trust; and
 - 64 (iii) { \$15 } for each assignment of a deed of trust when recorded concurrently with the
 - assigned deed of trust.

The motion to amend the bill passed unanimously with Rep. Morley, Rep. Sandstrom, Rep. Seelig, and Rep. Wiley absent for the vote.

Spoke to the bill: Richard Maughan, Davis County Recorder

Spoke in favor of the bill: James Seaman, ULTA, Inwest Title Services

MOTION: Rep. Peterson moved to pass out H.B. 259, as amended, with a favorable

House Political Subdivisions Standing Committee February 18, 2011 Page 4

recommendation. The motion passed unanimously with Rep. Morley and Rep. Seelig absent for the vote.

MOTION: Rep. Webb moved to place the bill on the Consent Calendar. The motion passed unanimously with Rep. Morley and Rep. Seelig absent for the vote.

1st Sub. S.B. 117 Community Association Act Amendments (Sen. S. Urquhart) (Rep. D. Ipson)

Sen. Urquhart introduced the bill to the committee.

Spoke in favor of the bill: John Morris, CAI Legislative Actions Committee

MOTION: Rep Dunnigan moved to pass out 1st Substitute S.B. 117 with a favorable

recommendation. The motion passed unanimously with Rep. Morley and Rep.

Seelig absent for the vote.

MOTION: Rep. Peterson moved to adjourn the meeting. The motion passed unanimously with

Rep. Morley and Rep. Seelig absent for the vote.

Rep. Edwards adjourned the meeting at 9:59 a.m.

Rep. Curt Webb, Chair